



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

290 BROADWAY

NEW YORK, NEW YORK 10007-1866

JUL 12 2012

VIA EXPRESS DELIVERY

Bouchard Transportation Co., Inc.
Attn: Morton S. Bouchard III
58 South Service Road, Suite 150
Melville, New York, 11747

Re: Gowanus Canal Superfund Site, Brooklyn, Kings County, New York
Newtown Creek Superfund Site, Kings and Queens Counties, New York

Request for Information Pursuant to Comprehensive Environmental Response,
Compensation, and Liability Act, 42 U.S.C. Sections 9601-9675

Dear Sir:

The U.S. Environmental Protection Agency ("EPA") is charged with responding to the release or threatened release of hazardous substances, pollutants and contaminants into the environment and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"), 42 U.S.C. Sections 9601-9675, (also known as the "Superfund" law). More information about CERCLA, including a copy of the Superfund law, may be found at www.epa.gov/superfund.

EPA has documented the release and threatened release of hazardous substances into the environment at the Gowanus Canal and Newtown Creek Superfund Sites, located in Brooklyn, Kings County, New York and Brooklyn and Queens County, New York. In response to the release and threatened release of hazardous substances into the environment at the Sites, EPA has spent public funds and anticipates spending additional public funds.

Gowanus Canal Superfund Site

In March 2010, the Gowanus Canal Superfund Site ("Gowanus Site") was added to the National Priorities List ("NPL") established pursuant to Section 105 of CERCLA, 42 U.S.C. Section 9605.

The Gowanus Canal is a brackish, tidal arm of the New York-New Jersey Harbor Estuary, extending for approximately 1.8 miles through Brooklyn. The approximately 100-foot-wide canal runs southwest from Butler Street to Gowanus Bay and Upper New York Bay. The adjacent waterfront is primarily commercial and industrial, currently consisting of concrete plants, warehouses, and parking lots, and the Canal is near several residential neighborhoods.

The Canal was constructed by bulkheading and dredging a tidal creek and wetland. After its completion in the 1860s, the Canal quickly became one of the nation's busiest industrial waterways, home to heavy industry including gas works (*i.e.*, manufactured gas plants), coal yards, cement makers, soap makers, tanneries, paint and ink factories, machine shops, chemical plants and oil refineries. The Canal was used as a repository for untreated industrial wastes, raw sewage, and runoff for decades, causing it to become one of New York's most polluted waterways. Although much of the industrial activity along the Canal has ceased, high contaminant levels remain in the groundwater and Canal sediments. Despite the ongoing pollution problems, the Canal is currently used by some for recreational purposes, such as canoeing and diving, while others catch fish for consumption.

EPA is currently conducting a remedial investigation/feasibility study ("RI/FS"). EPA's RI work to date has included sampling of deep sediment cores to determine the nature and extent of contamination in the Canal sediments, the installation of a series of monitoring wells in properties around the Canal to assess groundwater flow and upland source areas, and the collection of air, water, sediment and biota samples for human health and ecological risk assessments. The results of this work are contained in the draft RI report issued in January 2011.

Sampling by EPA and others have shown the Canal sediments to be contaminated with a variety of pollutants, including polycyclic aromatic hydrocarbons, polychlorinated biphenyls, pesticides, metals and volatile organic compounds. The contamination extends the entire length of the Canal. The contaminants are believed to have entered the Canal via a variety of pathways, including spillage during product shipping and handling, direct disposal, discharge through waste and sewage pipes, contaminated groundwater discharge, surface water runoff and contaminated soil erosion.

EPA issued a draft FS in December 2011 examining the potential methods of addressing the risk to human health and the environment. EPA anticipates issuing a proposed plan for the cleanup of the Canal in the near future. EPA has also taken various enforcement actions with respect to the Canal, including entering into administrative orders on consent with the City of New York and National Grid to conduct RI work at facilities associated with those parties. These actions have been and will be taken by EPA pursuant to CERCLA. Additional information about the Canal, including the draft RI/FS reports, can be found on EPA Region 2's website at www.epa.gov/region02/superfund/npl/gowanus/.

Newtown Creek Superfund Site

EPA has also documented the release and threatened release of hazardous substances into the environment at the Newtown Creek Superfund Site ("Newtown Site"). In September 2010, the Newtown Site was listed on the NPL.

Newtown Creek is a tidal arm of the New York-New Jersey Harbor Estuary that forms the northwestern-most border between the New York City boroughs of Brooklyn and Queens. It is a

tributary of the East River and includes Newtown Creek proper and its five branches (or tributaries) which are known, respectively, as Dutch Kills, Maspeth Creek, Whale Creek, East Branch and English Kills, along an approximately 3.8-mile reach. References in this letter to "Newtown Creek" are meant to include Newtown Creek proper and its tributaries. Further information about the Newtown Site is available on EPA Region 2's website at: <http://www.epa.gov/region02/superfund/npl/gowanus/>.

An RI/FS at the Newtown Site is currently being undertaken, with EPA oversight, by a group of potentially responsible parties pursuant to an administrative settlement agreement and order on consent. The RI focuses on a Study Area which includes the sediments and the waters of Newtown Creek.

Historically, Newtown Creek drained the uplands of western Long Island and flowed through wetlands and marshes. However, due to heavy industrial development and governmental activities dating from the 1800s, formerly wet areas have been filled, Newtown Creek has been channelized, and its banks have been stabilized with bulkheads and rip rap. Currently the predominant land use around Newtown Creek includes industrial, manufacturing, warehousing, transportation, municipal infrastructure, and utility facilities. Residential development is planned for the areas near the mouth of the Creek on both the Brooklyn and Queens sides.

The Newtown Site includes contaminated sediments for which there are numerous possible sources. Sampling events have shown the sediments in the Creek to be contaminated with a variety of hazardous substances which traverse almost the entire length of the Creek, and which include a wide variety of metals, pesticides, polycyclic aromatic hydrocarbons, phthalates, polychlorinated biphenyls, and volatile organic contaminants.

As part of the investigation of potential sources of contamination to the Sites, EPA is seeking information regarding companies which operated in the vicinity of the Gowanus and Newtown Sites. EPA has evaluated information obtained in connection with the Sites which indicates that your company transported waste coal tar via barge from and between several Brooklyn Union Gas Co. manufactured gas plants ("MGPs") located on Newtown Creek and the Gowanus Canal as well as other locations during the period from at least 1933 until 1951. Copies of these documents are attached for your information. EPA has notified Brooklyn Union Gas Co. d/b/a National Grid New York of its status as a potentially responsible party with respect to both Sites. The primary purpose of this letter is obtain further information, if available, regarding these coal tar waste transfers.

INFORMATION REQUEST

This letter seeks your cooperation in providing information and documents relating to the Site. We encourage you to give this letter your immediate attention. A complete and truthful response to the enclosed Request for Information should be submitted to EPA within 30 days of your receipt of this letter.

Under Section 104(e) of CERCLA, EPA has broad information gathering authority which allows EPA to require persons to provide information or documents relating to the materials generated, treated, stored or disposed of at or transported to a facility, the nature or extent of a release or threatened release of a hazardous substance, pollutant or contaminant at or from a facility, and the ability of a person to pay for or perform a cleanup.

While EPA seeks your cooperation in this investigation, your compliance with the enclosed Request for Information is required by law. When you have prepared your response to the Request for Information, please sign and have notarized the enclosed "Certification of Answers to Request for Information," and return that Certification to EPA along with your response. Please note that false, fictitious or fraudulent statements or representations may subject you to civil or criminal penalties under federal law. In addition, Section 104 of CERCLA, 42 U.S.C. Section 9604, authorizes EPA to pursue penalties for failure to comply with requests for information.

It is possible that some of the information that EPA is requesting may be considered by you to be confidential business information. Please be aware that you may not withhold the information on that basis. If you wish EPA to treat all or part of the information confidentially, you must advise EPA of that fact by following the procedures described in the Instructions included in the enclosed Request for Information, including the requirement of supporting your claim of confidentiality.

If you have information about other parties who may have information which may assist EPA in its investigation of the Site or may be responsible for the contamination at the Site, that information must be submitted to EPA within the time frame noted above.

Please note that if after submitting your response you obtain additional or different information concerning the matters addressed by the Request for Information, it is necessary that you promptly notify EPA.

This Request for Information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Sections 3501-3520.

Your response to this Request for Information, which may be submitted electronically, should be sent to:

Brian Carr
Assistant Regional Counsel
New York/Caribbean Superfund Branch
Office of Regional Counsel
U.S. Environmental Protection Agency, Region II
290 Broadway, 17th Floor
New York, NY 10007-1866
carr.brian@epa.gov

with a copy to:

Christos Tsiamis
Remedial Project Manager
New York Remediation Branch
Emergency and Remedial Response Division
U.S. Environmental Protection Agency, Region II
290 Broadway, 20th Floor
New York, NY 10007-1866
tsiamis.christos@epa.gov

If you have any questions regarding this Request for Information, including the need for additional time to respond, background information to assist in preparing your response, or about the Sites generally, you may contact Mr. Carr via email at carr.brian@epa.gov or by phone at (212) 637-3170. Mr. Carr, the EPA attorney assigned to the Gowanus Canal Site, will direct any questions regarding the Newtown Creek Site to the appropriate legal and technical personnel.

We appreciate and look forward to your prompt response to this information request.

Sincerely yours,



Nicoletta Diforte
Senior Enforcement Policy Advisor
Emergency and Remedial Response Division

Enclosures

INSTRUCTIONS FOR RESPONDING TO REQUEST FOR INFORMATION

A. Directions

1. A complete and separate response should be given for each question. Please respond to the Requests for Information separately for Facility (see Definitions below), as though each such Facility was the subject of a separate Request for Information. You may combine your answers into a single response as long as your response clearly separates the response for each Facility.
2. Identify each answer with the number of the question to which it is addressed.
3. For each document produced in response to this Request for Information, indicate on the document, or in some other reasonable manner, the question to which it applies.
4. In preparing your response to each question, consult with all present and former employees and agents of your company whom you have reason to believe may be familiar with the matter to which the question pertains.
5. In answering each question, identify each individual and any other source of information (including documents) that was consulted in the preparation of the response to the question.
6. If you are unable to give a detailed and complete answer, or to provide any of the information or documents requested, indicate the reason for your inability to do so.
7. If you have reason to believe that an individual other than one employed by your Company, as the term is defined below, may be able to provide additional details or documentation in response to any question, identify that person.
8. If a document is requested but not available, state the reason for its unavailability. To the best of your ability, identify the document by author, date, subject matter, number of pages, and all recipients of the document with their addresses.
9. If anything is omitted from a document produced in response to this Request for Information, state the reason for, and the subject matter of, the omission.
10. If you cannot provide a precise answer to a question, please approximate but, in any such instance, state the reason for your inability to be more specific.
11. Whenever this Request for Information requests the identification of a natural person, or other entity, the person or entity's full name and present or last known address also should be provided.

12. All verbs shall be construed to include all tenses.
13. References to the singular shall be construed to include the plural, and references to the plural shall be construed to include the singular.
14. Interpret "and" as well as "or" to include within the scope of the question as much information as possible. If two interpretations of a question are possible, use the one that provides more information.
15. Confidential Information. The information requested herein must be provided even though you may contend that it includes confidential business information or trade secrets. You may assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. Sections 9604(e)(7)(E) and (F), and 40 C.F.R. Section 2.203(b).

If you make a claim of confidentiality for any of the information you submit to EPA, you must prove that claim. For each document or response you claim to be confidential, you must separately address the following points:

- a. the portions of the information which are alleged to be entitled to confidential treatment;
- b. the period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);
- c. measures taken by you to guard against the undesired disclosure of the information to others;
- d. the extent to which the information has been disclosed to others, and the precautions taken in connection therewith;
- e. pertinent confidentiality determinations, if any, by EPA or other federal agencies, and a copy of any such determinations or reference to them, if available; and
- f. whether you assert that disclosure of the information would likely result in substantial harmful effects on your business' competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects.

To make a confidentiality claim, please stamp, or type, "confidential" on all confidential responses and any related confidential documents. Confidential portions of otherwise

non-confidential documents should be clearly identified. Please submit your response so that all non-confidential information, including any redacted versions of documents, are in one envelope and all materials for which you desire confidential treatment are in another envelope.

All confidentiality claims are subject to EPA verification. It is important that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so and that it is not and has not been obtainable by legitimate means without your consent. Information covered by such claim will be disclosed by EPA only to the extent permitted by CERCLA Section 104(e) and 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, then it may be made available to the public by EPA without further notice to you.

B. Definitions

1. As used herein, the term "Gowanus Canal Site" shall refer to the Gowanus Canal, located in Brooklyn, Kings County, New York, and any areas that have been affected by, or contributed to, the contamination.
2. As used herein, the term "Newtown Creek Site" shall refer to Newtown Creek (including its five branches or tributaries, respectively Dutch Kills, Maspeth Creek, Whale Creek, East Branch, and English Kills) and any areas that have been a source of contamination to Newtown Creek, or are places where releases of such contamination to the Newtown Creek have come to be located.
3. As used herein, the term "hazardous substance" shall have the meaning set forth in Section 101(14) of CERCLA, 42 U.S.C. § 9601(14). The substances which have been designated as hazardous substances pursuant to Section 102(a) of CERCLA (which, in turn, comprise a portion of the substances that fall within the definition of "hazardous substance" under Section 101(14) of CERCLA) are set forth at 40 CFR Part 302.
4. As used herein, the terms "hazardous waste," "disposal" and "storage" shall have the meanings set forth in Sections 1004(3), (5) and (33) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §§ 6903(3), (5) and (33), respectively.
5. As used herein, the term "industrial waste" shall mean any solid, liquid or sludge or any mixture thereof which possesses any of the following characteristics:
 - a. it contains one or more "hazardous substances" (at any concentration) as defined in 42 U.S.C. § 9601(14);
 - b. it is a "hazardous waste" as defined in 42 U.S.C. § 6903(5);
 - c. it has a pH less than 2.0 or greater than 12.5;

- d. it reacts violently when mixed with water;
 - e. it generates toxic gases when mixed with water;
 - f. it easily ignites or explodes;
 - g. it is an industrial waste product;
 - h. it is an industrial treatment plant sludge or supernatant;
 - i. it is an industrial byproduct having some market value;
 - j. it is coolant water or blowdown waste from a coolant system;
 - k. it is a spent product which could be reused after rehabilitation; or
 - l. it is any material which you have reason to believe would be toxic if ingested, inhaled or placed in contact with your skin.
6. As used herein, the term "release" shall have the meaning set forth in Section 101(22) of CERCLA, 42 U.S.C. § 9601(22).
7. As used herein, the terms "the Company" and "your Company" refer not only to Bouchard Transportation Co., Inc., but also to its predecessor(s)-in-interest, subsidiaries, divisions, or affiliated entities.
8. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship) to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
9. The term "Facility" shall mean any parcel in the immediate vicinity of the Gowanus Canal or Newtown Creek which your Company (as defined herein) currently or previously own(ed), lease(d) and/or operate(d).
10. All terms not defined herein shall have their ordinary meanings, unless such terms are defined in CERCLA or RCRA, in which case the statutory definitions apply.

REQUEST FOR INFORMATION

Section 1.0 Company Information

1. Company Identification: Provide the following information with respect to the Company.
 - a. The full legal, corporate name and mailing address.
 - b. The state and date of incorporation, the date of qualification to do business in the State of New York, and the agents for service of process in the state of incorporation and in New York State.
 - c. The Chief Executive Officer or other presiding officer of the entity and the mailing address of that officer.
 - d. If the Company is a successor by merger, acquisition or other activity to any other entity, identify each such entity and describe the nature of the succession. Please provide purchase and sale documents that related to such merger, acquisition or other activity including any indemnities associated with such activity.
 - e. If the Company is a subsidiary, division, branch or affiliate of another corporation or other entity, identify each of those other entities and those entities' Chief Executive Officers or other presiding officers. Identify the state of incorporation and agents for service of process in the state of incorporation and in New York State for each entity identified in your response to this question.
2. Future EPA Communications: If the addressee of this letter requests that future communications from EPA regarding the Site be sent to a particular individual or office, provide the name, address, telephone number, e-mail address and capacity of such individual or office.

Section 2.0 Site-Related Transportation Information

3. Operations In, Under or Over the Waters or On the Sediments of Gowanus Canal or Newtown Creek: Describe all transportation services that were conducted over, on, under, or adjacent to, the Gowanus Canal or Newtown Creek involving Brooklyn Union Gas ("BUG"), including contracts to transport coal tar to or from that company's Citizen's Gas Manufactured Gas Plant ("MGP") at Gowanus Canal, and their Greenpoint MGP at Newtown Creek. Your response should include, but not be limited to, the following:
 - a. The years during which such services were provided;

- b. The volume of material transported by year or other period;
 - c. The transportation destinations;
 - d. The types of vessels utilized for such transport
 - e. The method of transfer to and from barges or other ships during all periods of such activities;
 - f. Spill prevention controls that were utilized in delivery or pick-up of materials during the relevant period;
 - g. Whether your Company had ownership of the material
 - h. Whether other hazardous substances, petroleum, industrial waste, or other waste materials were transported on behalf of BUG;
 - i. Whether coal tar or any other materials were ever discharged, spilled, disposed of or otherwise came to be located in Gowanus Canal or Newtown Creek; and
 - j. A copy of all documents relied upon for your Company's response.
4. Has your Company utilized barges, lighters, tankers or other vessels to transport hazardous substances, petroleum, industrial waste or other waste materials for any entity other than BUG at the Gowanus Canal or Newtown Creek? If so, your response should include, but not be limited to, the following:
- a. The name of each entity and facility location for which your Company provided services;
 - b. The years during which such services were provided;
 - c. The types and volumes of material transported;
 - d. Whether any such materials were ever discharged, spilled, disposed of or otherwise came to be located in Gowanus Canal or Newtown Creek; and
 - e. A copy of all documents relied upon for your Company's response.
5. Please describe any barge, tanker or other ship cleaning operations, if any, conducted by your Company at any location within the Gowanus Canal or Newtown Creek, including

the cleaning methods that were used, how cleaning waste was handled, and the years and frequency of such operations.

Section 3.0 Facility Owner/Operator Information

6. Did your Company own or operate any Facility, as defined in Definition 9, above? If your response is no, skip to Question 19.

If your response is yes, please describe in detail the processes and/or operations conducted by your Company at the Facility, and identify the years in which it owned and/or conducted operations there. If those operations were not constant, describe the nature of all changes in operations and state the year of each change. If detailed information about your Company's operations is not available, provide, at minimum, a generalized description of the nature of your Company's business during the years in question and the type of work your Company would have conducted at the Facility. Your answer should include the following:

- a. During what years did your Company operate at the Facility?
 - b. During what years did your Company own all or any portion of the Facility?
 - c. During the period of your Company's use of the Facility, did your Company lease any portion of the Facility to one or more other entities? If so, please identify the entity, the nature of its operations, and provide copies of leases.
 - d. Please provide copies of documents which effectuated your Company's acquisition and, if no longer owned, sale of the Facility property.
7. With respect to hazardous substances, hazardous wastes and industrial wastes at the Facility:
- a. List all hazardous substances, hazardous wastes and industrial wastes that were used, stored, generated, handled or received by your Company at the Facility. Be as specific as possible in identifying each chemical, and provide, among other things, the chemical name, brand name, and chemical content.
 - b. State when each hazardous substance, hazardous waste and industrial waste identified in your response to question 7.a., above, was used, stored, generated, handled or received and state the volume of each hazardous substance, hazardous waste and industrial waste used, stored, generated or handled on an annual basis.
 - c. Describe the activity or activities in which each hazardous substance, hazardous waste and industrial waste identified in your response to question 7.a., above, was used, stored, handled or received.

- d. Show the location of the hazardous substances, hazardous wastes and industrial wastes identified in your response to question 7.a., above through a map or diagram of each Facility ("Facility Plan").
 - e. In addition to the Facility Plan, provide floor plans of the Facility, both current (if still in operation) and past reflecting changes over the period in which the Facility was in operation. The floor plan should depict all drainage sumps and above-ground and below-ground discharge piping and above-ground and underground storage tanks.
 - f. If your Company has performed dock or bulkhead repairs or construction at the Facility, please describe the dates, scope and extent of such work, and provide documents relating to such work.
- 8.
- a. What did your Company do with the hazardous wastes, hazardous substances, and industrial wastes that it used, stored, generated or otherwise handled at the Facility after it was finished with them? Describe in detail how and where the hazardous substances, hazardous wastes and industrial wastes identified in response to question 7 above were disposed. For each disposal location and method, state the nature and quantity of the material disposed of on an annual basis.
 - b. If any hazardous substances, hazardous wastes and industrial wastes ever were removed from the Facility for disposal or treatment, state the names and addresses of the transporters and disposal facilities used and the period during which each such transporter and disposal site was used. If you are unaware of the ultimate disposal location of any of the hazardous substances, hazardous wastes and industrial wastes that were removed from the Facility, state the nature and quantity of the particular materials in question and the names and addresses of the companies or individuals who removed the materials from the Facility.
 - c. Were any hazardous substances, hazardous wastes and industrial wastes ever disposed of at the Facility by your Company or any of its officers, employees, agents or representatives, or anyone else, either intentionally or unintentionally (in a manner other than those already identified in your responses to 8.a-b., above)? Your answer to this question should address, but not be limited to, instances in which hazardous substances, hazardous wastes, and industrial wastes were spilled or otherwise disposed onto or into the ground from drums, tanks, or any other containers, as well as instances in which drums or other containers containing any volume whatsoever of hazardous substances, hazardous wastes and industrial wastes caught fire. For each disposal identified in your response to this question:
 - i. Identify the locations at the Facility where such disposal occurred;
 - ii. State the periods during which such disposal occurred at each area identified in your response to Question 8.c.i., above;

- iii. Identify each of the materials disposed of at the Facility, including the chemical content, characteristics, and form (solid, liquid, sludge or gas) of the material;
 - iv. Describe the method of disposal used;
 - v. Describe how the material was containerized (if at all) at the time of the disposal; and
 - vi. State the quantity of each such material that was disposed of at the Facility.
- 9. If the Facility had bulk storage of petroleum or chemicals, please state the nature and location of the materials stored, including the types of petroleum products and additives handled at any time during operation of the Facility, show the location of storage tanks on the Facility Plan, and provide all documents related to the permitting, inspection, maintenance, product inventory levels, cleaning or closure of such tanks.
- 10. Identify all leaks, spills or releases or threats of releases of any kind of any hazardous substances, hazardous wastes and industrial wastes into the environment that have occurred or may have occurred at or from the Facility, including to the Gowanus Canal, including any leaks or releases from discharge pipes as well as from storage tanks, drums, other containers and tanks. Your answer should include:
 - a. when each release occurred;
 - b. how each release occurred;
 - c. what individuals and companies caused or contributed to the release;
 - d. what hazardous substances were released, and in what form (e.g., gas, liquid, solid or sludge);
 - e. the amount of each hazardous substance released;
 - f. where each release occurred (indicate the location on the Facility Plan);
 - g. the media (soil, water, air) on or into which the material was released;
 - h. whether the release was fully contained and, if not, where the uncontained portion of the release is believed to have gone;
 - i. any and all activities undertaken in response to each release or threatened release;

- j. any and all investigations of the circumstances, nature, extent or location of each release or threatened release including the results of any soil, water (ground or surface), or air testing that was undertaken; and
 - k. all persons with information relating to subparts a. through j. of this Question.
11. In addition to any documents requested above, please provide copies of the following:
- a. All records relating to releases of hazardous substances, hazardous wastes, and industrial wastes at the Facility or to the Gowanus Canal;
 - b. historic photographs, including without limitation, aerial photographs, photographs showing construction, industrial or commercial processes, sanitary and storm sewer systems, outfalls, indoor and outdoor storage of materials or products, and photographs during construction
 - c. All waste manifests, invoices or other documents relating to the disposal of the hazardous substances, hazardous wastes, and industrial wastes disposed of at the Facility or otherwise handled at the Facility; and
 - d. All investigation documents relating to conditions at the Facility, including but not limited to the following:
 - i. safety and environmental audits;
 - ii. notices of violations of environmental laws and regulations;
 - iii. sampling results; and
 - iv. cleanup documents, including orders, Phase 1 or Phase 2 studies, remedial investigations, and state Superfund, brownfields or voluntary cleanup program documents.
12. Did the Facility's operations include tank cleaning? If so, describe in detail the Facility's tank cleaning practices during the period of operations, including the number of tanks on-site, the frequency and method of tank cleaning, the volume of tank cleaning waste generated, and the method and location of tank cleaning waste disposal.
13. Describe all wastes disposed by the Company at each of the discharge locations at the Facility, including but not limited to, pipes, drains, sumps, sewer connections and tanks, including but not limited to:
- a. the location of each drain on the Facility Plan;

- b. the nature and chemical composition of each type of waste;
 - c. the approximate quantity of those wastes disposed by month and year;
 - d. whether it discharged to the Gowanus Canal, to the ground, the sewer or other location(s); and
 - e. whether and what pretreatment was provided.
14. Did or does your Company's Facility have discharge or waste permits, including but not limited to, a National or State Pollutant Discharge Elimination System ("NPDES" or "SPDES"), Resource Conservation and Recovery Act ("RCRA") permit, or New York City industrial waste discharge permit? If so, identify the Facility and the period during which the Facility has had a discharge permit. In addition, please provide copies of all documents since the initial permit, including but not limited to, permits, notices of violations, sampling analysis which document discharges in excess of permit limits, and administrative settlement orders for violations.
15. Regarding connections to New York City sewer system:
- a. State whether the Facility is connected to the New York City sewer and the date that the Facility was first connected.
 - b. State whether the Facility has ever discharged liquid wastes other than through the New York City sewer system and, if so, provide details on such discharges.
 - c. State whether the Facility participates in the New York City pretreatment program, whether the Company has ever been classified as a significant industrial user, whether the Company has ever been in violation of sewer use requirements or permits or received any notices of violation relating to use of the New York City sewer system.
 - d. Provide the annual volume of liquids discharged to the sewers and the nature of the discharges including analytical data detailing the makeup of the discharged liquids.
 - e. Provide copies of the following documents:
 - i. permits and permit applications for Industrial Wastewater discharge permits;
 - ii. notices of violations, correspondence, hearing transcripts and dispositions relating to the Company's use of the New York City sewer system;

- iii. Baseline Monitoring Reports submitted to New York City in connection with the Company's application for an industrial wastewater discharge permit;
 - iv. surveys, reports or analyses delineating or characterizing the company's liquid wastes;
 - v. periodic monitoring reports for wastes discharged through the sewer system; and
 - vi. invoices from New York City or the New York City Water Board for water and/or wastewater charges including any wastewater allowances.
16. Please describe the closure of the Facility, if applicable. Your answer should include, but not be limited to, when the closure of the Facility occurred; how waste material was disposed of, and whether any waste material was left onsite. In addition, describe any further closure work that was undertaken at the time any portion of any of the Facility were transferred.
17. Has the Company been a party to any litigation, whether as plaintiff or defendant, where an allegation included liability for contamination of or from the Facility? If yes, identify such litigation and its disposition, briefly describe the nature of the Company's involvement in the litigation and provide a copy of the pleadings and any final order.
18. Has the Company or an affiliate been identified by any New York State or New York City agency as a party responsible for environmental contamination with respect to the Facility? If yes, state the Company's understanding of the basis for such notice of responsibility and provide a copy of any correspondence, orders or agreements between the Company and the governmental agency.

Section 4.0 Other Reports and Information

19. Has the Company provided notice to or made a report to the New York State Department of Environmental Conservation or New York City Department of Environmental Protection or any other state or city agency concerning an incident, accident, spill, release, or other event involving a Facility or involving Gowanus Canal or Newtown Creek? If so, describe each incident, accident, spill, release, or other event and provide copies of all communications between the Company or its agents and New York State Department of Environmental Conservation, New York City Department of Environmental Protection, New York State Department of Health, New York City Department of Health and Mental Hygiene, or any other state or city agency.
20. Does your Company have any additional information or documents which may help EPA identify other companies, governmental entities, or individuals which conducted

operations at or owned the Facility, or otherwise contributed contamination to the Gowanus Canal? If so, please provide that information and those documents; state the time period when each such entity operated at or owned the Facility, or contributed contamination to the Gowanus Canal, and identify the source(s) of your information.

Section 5.0 Compliance with this Information Request

21. Identify the persons having knowledge of facts relating to the questions which are the subject of this inquiry. For each such person that you identify, provide the name, address, and telephone number of that person, and the basis of your belief that he or she has such knowledge. For past and present employees of the Company, include their job title and a description of their responsibilities.
22. Please state the name, title and address of each individual who assisted or was consulted in the preparation of your response to this Request for Information. In addition, state whether this person has personal knowledge of the answers provided.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION
GOWANUS CANAL/NEWTOWN CREEK SUPERFUND SITES

State of _____

County of _____:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that my Company is under a continuing obligation to supplement its response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or my Company's response thereto should become known or available to the Company.

NAME (print or type)

TITLE (print or type)

SIGNATURE

Sworn to before me this
__ day of ____, 20__

Notary Public

TELEPHONE, WHITEHALL 4-1189
1190

CONTRACT 15864-A

NIGHT CALL MANSFIELD 6-5893
LYNBROOK 5306

BOUCHARD TRANSPORTATION CO., INC.

15864

TO ALL POINTS ON LONG ISLAND SOUND AND HUDSON RIVER

BUFFALO - MONTREAL - QUEBEC

17 BATTERY PLACE

NEW YORK

October
Ninth
1933Brooklyn Union Gas Co.
175 Remsen St.
Brooklyn, N. Y.

Gentlemen:

We wish to confirm our rate of two mills (.002) per gallon at 60°F. on minimum 200,000 gallons of tar from the Citizens Plant to your Greenpoint Plant at Maspeth Ave., Newtown Creek. Barges will be placed alongside Gas Company's Plant on twenty four (24) hours notice from the Gas Company.

You are to furnish steam at your plant to heat the cargo and also to run our pump for discharging cargo from the barge to your tanks. The free time allowed will be twelve hours to load at Citizens Plant and twelve hours to discharge at Greenpoint Plant. Demurrage, if any, will be to the mutual satisfaction of the Brooklyn Union Gas Co. and ourselves. The cargo insurance is for your account.

Following are the barges we contemplate using on this work:

American Tar	225,000	gallon	capacity.
Tar & Fuel #1	300,000	"	"
L. J. Tomlinson	350,000	"	"

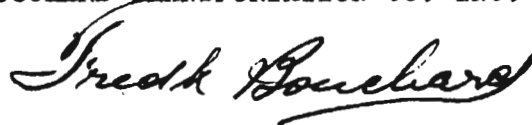
Other barges if necessary.

The above rate applies for the balance of 1933 and for the years 1934 and 1935.

Very truly yours,

BOUCHARD TRANSPORTATION CO. INC.

ACCEPTED BY:


J. J. Tomlinson

BUC0392028

BOUCHARD TRANSPORTATION CO., INC.

ATLANTIC COAST
LONG ISLAND SOUNDSTATE BARGE CANAL
GREAT LAKES

20205

17 BATTERY PLACE
NEW YORK

December 15, 1937

Brooklyn Union Gas Co.,
175 Remsen Street,
Brooklyn, New York.

Gentlemen:

We wish to confirm our rate of ^{\$}0.0025⁻ per gallon at 60°F., on a minimum of 200,000 gallons of Tar from the Citizens Plant to your Greenpoint Plant at Maspeth Ave., Newtown Creek, for any Tar which you may have during the years 1938 and 1939. Barges will be placed alongside Gas Company's Plant on twenty-four (24) hours notice from the Gas Company.

You are to furnish steam at your plant to heat the cargo and also to run our pump for discharging cargo from the barge to your tanks. The free time allowed will be twelve hours to load at Citizens Plant and twelve hours to discharge at Greenpoint Plant. Demurrage, if any, will be to the mutual satisfaction of the Brooklyn Union Gas Co., and ourselves. The cargo insurance is for your account.

The following are the barges we contemplate using on this work:

John & Frederick	300,000	gallon capacity
American Tar	225,000	" "
Tar & Fuel #1	300,000	" "
L.J. Tomlinson	350,000	" "
Thomas Tomlinson	200,000	" "
Sonard	350,000	" "

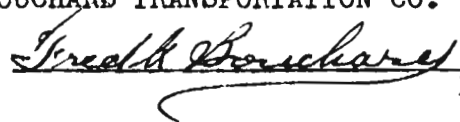
Other barges if necessary, to meet your demands.

The above rate applies for the years 1938 and 1939.

Very truly yours,

BOUCHARD TRANSPORTATION CO. INC.

ACCEPTED BY:



Pres.

CONTRACT 18088-A

J. E. WHITEHALL 4- { 1188
1190NIGHT CALL MANSFIELD 6-5883
LYNBROOK 8308

BOUCHARD TRANSPORTATION CO., INC.

18088

TO ALL POINTS ON LONG ISLAND SOUND AND HUDSON RIVER
BUFFALO - MONTREAL - QUEBEC

17 BATTERY PLACE

NEW YORK

November 20, 1935

Brooklyn Union Gas Co.,
175 Remsen Street,
Brooklyn, New York.

Gentlemen:

We wish to confirm our rate of two mills (.002) per gallon at 60°F., on minimum 200,000 gallons of Tar from the Citizens Plant to your Greenpoint Plant at Maspeth Ave., Newtown Creek. Barges will be placed alongside Gas Company's Plant on twenty-four (24) hours notice from the Gas Company.

You are to furnish steam at your plant to heat the cargo and also to run our pump for discharging cargo from the barge to your tanks. The free time allowed will be twelve hours to load at Citizens Plant and twelve hours to discharge at Greenpoint Plant. Demurrage, if any, will be to the mutual satisfaction of the Brooklyn Union Gas Co., and ourselves. The cargo insurance is for your account.

Following are the barges we contemplate using on this work:

John & Frederick	300,000	gallon capacity.
American Tar	225,000	" "
Tar & Fuel #1	300,000	" "
L. J. Tomlinson	350,000	" "
Thomas Tomlinson	200,000	" "
Fred E. Hasler	350,000	" "

Other barges if necessary.

The above rate applies for the years 1936 and 1937.

Very truly yours,

Frederick Bouchard Pres
BOUCHARD TRANSPORTATION CO. INC.

ACCEPTED BY:

J. E. Whitehall V.P.
V.P.
W.E.

20515

TELEPHONE WHITEHALL 4-1189-1190-1191

NIGHT CALL LYNBROOK 5306

BOUCHARD TRANSPORTATION CO., INC.

ATLANTIC COAST
LONG ISLAND SOUNDSTATE BARGE CANAL
GREAT LAKES17 BATTERY PLACE
NEW YORK

November 1, 1941

Brooklyn Union Gas Co.,
176 Remsen Street,
Brooklyn, New York.

Gentlemen:

We wish to confirm our rate of \$.0025 per gallon at 60° F., on a minimum of 200,000 gallons of Tar from the Citizens Plant to your Greenpoint Plant, at Maspeth Avenue, Newtown Creek, for any Tar which you may have during the year 1942. Barges will be placed alongside Gas Company's Plant on twenty-four (24) hours notice from the Gas Company.

You are to furnish steam at your Plant to heat the cargo and also to run our pump for discharging cargo from the barge to your tanks. The free time allowed will be twelve hours to load at Citizens Plant and twelve hours to discharge at Greenpoint Plant. Demurrage, if any, will be to the mutual satisfaction of the Brooklyn Union Gas Co., and ourselves. The cargo insurance is for your account.

The following are the barges we contemplate using on this work:

John & Frederick	300,000	gallon	capacity
American Tar	225,000	"	"
Tar & Fuel #1	300,000	"	"
L. J. Tomlinson	350,000	"	"
Sonard	350,000	"	"
B. T. C. 10	350,000	"	"

Other barges if necessary to meet your demands.

The above rate to apply from January 1st, 1942 until December 31, 1942.

Very truly yours,

BOUCHARD TRANSPORTATION CO. INC.

ACCEPTED BY:

Walter D. Bouchard
President

msb-rs

All contracts and agreements are contingent upon strikes, accidents and other causes beyond our control.

BUC0638817

TELEPHONE WHITEHALL 4-1189-1190-1191

NIGHT CALL LYNBROOK 5306

BOUCHARD TRANSPORTATION CO., INC.

ATLANTIC COAST
LONG ISLAND SOUNDSTATE BARGE CANAL
GREAT LAKES17 BATTERY PLACE
NEW YORK

November 1, 1941

Brooklyn Union Gas Co.,
176 Remsen Street,
Brooklyn, New York.

Gentlemen:

We wish to confirm our rate of \$.0025 per gallon at 60° F., on a minimum of 200,000 gallons of Tar from the Citizens Plant to your Greenpoint Plant, at Maspeth Avenue, Newtown Creek, for any Tar which you may have during the year 1942. Barges will be placed alongside Gas Company's Plant on twenty-four (24) hours notice from the Gas Company.

You are to furnish steam at your Plant to heat the cargo and also to run our pump for discharging cargo from the barge to your tanks. The free time allowed will be twelve hours to load at Citizens Plant and twelve hours to discharge at Greenpoint Plant. Demurrage, if any, will be to the mutual satisfaction of the Brooklyn Union Gas Co., and ourselves. The cargo insurance is for your account.

The following are the barges we contemplate using on this work:

John & Frederick	300,000 gallon capacity
American Tar	225,000 " "
Tar & Fuel #1	300,000 " "
L. J. Tomlinson	350,000 " "
Sonard	350,000 " "
B. T. C. 10	350,000 " "

Other barges if necessary to meet your demands.

The above rate to apply from January 1st, 1942 until December 31, 1942.

Very truly yours,

BOUCHARD TRANSPORTATION CO. INC.

Walter D. Bouchard
President

ACCEPTED BY:

[Signature]

12/22/41

msb-rs

All contracts and agreements are contingent upon strikes, accidents and other causes beyond our control.

BUC0638818

TELEPHONE WHITEHALL 4-1234 FIVE

NEW YORK, NOVEMBER 1, 1941

BOUCHARD TRANSPORTATION CO., INC.ATLANTIC COAST
LONG ISLAND SOUNDSTATE BARGE CANAL
GREAT LAKES17 BATTERY PLACE
NEW YORK

November 1, 1941

Brooklyn Union Gas Co.,
176 Remsen Street,
Brooklyn, New York.

Gentlemen:

We wish to submit a revision of rates
on Contract No. 19506E, affecting the transpor-
tation of Gas from your Citizens Plant and
Greenpoint Plant to Kearny, New Jersey, as
follows:-

50,000 - 175,000 gallons at	.00375 per gallon
175,000 - 250,000 "	.003 " "
250,000 - 300,000 "	.0025 " "


for direct delivery to barges
or barges in New York Harbor .002 " "

All other conditions as outlined in
the original contract to continue.

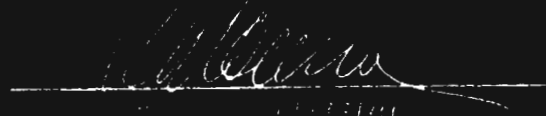
These rates are to become effective
January 1, 1942.

Yours very truly,

BOUCHARD TRANSPORTATION CO., INC.


President

ACCEPTED BY:



W.B.-rc

All contracts and agreements are contingent upon strikes, accidents and other causes beyond our control.

BUC0638840

TELEPHONE WHITEHALL 4-1189-1190-1191

NIGHT CALL LYNBROOK 5308

BOUCHARD TRANSPORTATION CO., INC.ATLANTIC COAST
LONG ISLAND SOUNDSTATE BARGE CANAL
GREAT LAKES17 BATTERY PLACE
NEW YORK 4, N.Y.

March 8, 1951.

The ~~Brooklyn~~ Union Gas Company,
176 Remsen Street,
Brooklyn 2, New York.

Gentlemen:

We wish to quote on the movement of TAR
from both Citizens and Greenpoint Works, to the
Koppers Company, at Kearny, New Jersey, or
designated Plants in New York Harbor, in accordance
with the following rates:

On a minimum of 200,000 gallons . . . \$ 0.0050 gallon


On a minimum of 250,000 gallons . . . 0.0040 "

These rates will allow you twelve (12) hours
to load and twelve (12) hours to discharge; demurrage
at the rate of \$8.50 per hour.

The above rates are effective March 10th,
1951, and are to continue until March 9th, 1952.

Yours very truly,

BOUCHARD TRANSPORTATION CO., INC.

Morton S. Bouchard
President

ACCEPTED BY:



Assistant Vice President

BUH 0013524
CONFIDENTIAL

MSB-rs

All contracts and agreements are contingent upon strikes, accidents and other causes beyond our control.

TELEPHONE WHITEHALL 4-1189-1190-1191

NIGHT CALL LYNBROOK 5306

BOUCHARD TRANSPORTATION CO., INC.ATLANTIC COAST
LONG ISLAND SOUNDSTATE BARGE CANAL
GREAT LAKES17 BATTERY PLACE
NEW YORK 4, N.Y.

February 21, 1949.

The Brooklyn Union Gas Company,
176 Remsen Street,
Brooklyn 2, New York.

Gentlemen:

We wish to quote on the movement of TAR
from both Citizens and Greenpoint Works, to the
Koppers Company, at Kearny, New Jersey, or
designated Plants in New York Harbor, in accordance
with the following rates:

On a minimum of 200,000 gallons . . \$.00485 per gallon


On a minimum of 250,000 gallons . . .0039 " "

These rates will allow you twelve (12)
hours to load and twelve (12) hours to discharge;
demurrage at the rate of \$8.50 per hour.

The above rates are effective -
February 15th, 1949, and are to continue until
December 31st, 1949.

Yours very truly,

BOUCHARD TRANSPORTATION CO., INC.


Morton S. Bouchard
President

ACCEPTED BY:


2/25/49 Asst. Vice Pres.

MSB-rs

BUH 0013514
CONFIDENTIAL

TELEPHONE WHITEHALL 4-1189-1190-1191

Year 1950

20406

NIGHT CALL LYNBROOK 5306

BOUCHARD TRANSPORTATION CO., INC.ATLANTIC COAST
LONG ISLAND SOUNDSTATE BARGE CANAL
GREAT LAKES17 BATTERY PLACE
NEW YORK 4, N.Y.

February 21, 1950.

The Brooklyn Union Gas Company,
176 Remsen Street,
Brooklyn 2, New York.

Gentlemen:

We wish to quote on the movement of TAR
from both Citizens and Greenpoint Works, to the
Koppers Company, at Kearny, New Jersey, or
designated Plants in New York Harbor, in accordance
with the following rates:

On a minimum of 200,000 gallons . . \$.00485 per gallon

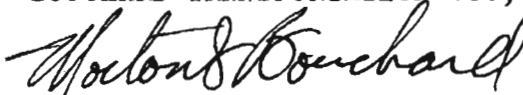
On a minimum of 250,000 gallons . . \$.0039 per gallon

These rates will allow you twelve (12)
hours to load and twelve (12) hours to discharge;
demurrage at the rate of \$8.50 per hour.

The above rates are effective January 1st,
1950 and are to continue for the calendar year 1950.

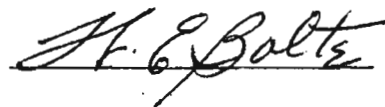
Yours very truly,

BOUCHARD TRANSPORTATION CO., INC.



Morton S. Bouchard
President

ACCEPTED BY:



MSB-rs

**BUH 0013513
CONFIDENTIAL**

TELEPHONE WHITEHALL 4-1189-1190-1191

20406
NIGHT CALL LYNBROOK 5306**BOUCHARD TRANSPORTATION CO., INC.**ATLANTIC COAST
LONG ISLAND SOUNDSTATE BARGE CANAL
GREAT LAKES17 BATTERY PLACE
NEW YORK 4, N.Y.

March 10, 1950.

The Brooklyn Union Gas Company,
176 Rensen Street,
Brooklyn 2, New York.

Gentlemen:

We wish to quote on the movement of TAR
from both Citizens and Greenpoint Works, to the
Koppers Company, at Kearny, New Jersey, or
designated Plants in New York Harbor, in accordance
with the following rates:

On a minimum of 200,000 gallons . . . \$.00455 gallon

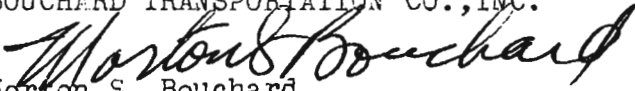
On a minimum of 250,000 gallons0036 "

These rates will allow you twelve (12)
hours to load and twelve (12) hours to discharge;
demurrage at the rate of \$3.50 per hour.


The above rates are effective March 10,
1950 and are to continue to December 31, 1950.

Yours very truly,

BOUCHARD TRANSPORTATION CO., INC.


Morton S. Bouchard
President

ACCEPTED BY:


3/15/50

MSB-rs

BUH 0013512
CONFIDENTIAL

TELEPHONE WHITEHALL 4-1189-1190-1191

NIGHT CALL LYNBROOK 5306

20540 - Extension to 12/31/44

BOUCHARD TRANSPORTATION CO., INC.

ATLANTIC COAST
LONG ISLAND SOUNDSTATE BARGE CANAL
GREAT LAKES17 BATTERY PLACE
NEW YORK

December 7, 1943

Mr. A. B. Huyck,
Brooklyn Union Gas Co.,
176 Remsen Street,
Brooklyn, N. Y.

Dear Mr. Huyck:

Referring to our contract with
your goodselves, dated December 2nd, 1942,
for the transportation of Tar from the Citizens
Plant to your Greenpoint Plant, expiring on
December 31st, 1943, this letter will extend the
present contract for a period of one year, from
January 1st, 1944 to December 31st, 1944.

If this is agreeable to you,
please return signed copy to us.

Yours very truly,

BOUCHARD TRANSPORTATION CO., INC.

W. Bouchard
President

ACCEPTED BY:

[Signature]

MSB-rs

TELEPHONE WHITEHALL 4-1189-1190-1191

*Extension for year 1945**20540*

NIGHT CALL LYNBROOK 5306

BOUCHARD TRANSPORTATION CO., INC.ATLANTIC COAST
LONG ISLAND SOUNDSTATE BARGE CANAL
GREAT LAKES17 BATTERY PLACE
NEW YORK 4, N.Y.

December 4, 1944

Mr. A. B. Huyck,
Brooklyn Union Gas Co.,
176 Remsen Street,
Brooklyn, N. Y.

Dear Mr. Huyck:

Referring to our contract
with your goodselves, dated December 2,
1942, for the transportation of Tar
from the Citizens Plant to your Greenpoint
Plant, expiring on December 31st, 1944,
this letter will extend the present
contract for a period of one year, from
January 1st, 1945 to December 31st, 1945.

Copy

If this is agreeable to
you, please return signed copy to us.

Yours very truly,

BOUCHARD TRANSPORTATION CO. INC.

Morton S. Bouchard
President

ACCEPTED BY:

V. A. Bellamy

MSB-rs

All contracts and agreements are contingent upon strikes, accidents and other causes beyond our control.

BUC0639153

TELEPHONE WHITEHALL 4-1189-1190-1191

20540
NIGHT CALL LYNBROOK 5306

BOUCHARD TRANSPORTATION CO., INC.
ATLANTIC COAST STATE BARGE CANAL
LONG ISLAND SOUND GREAT LAKES

17 BATTERY PLACE
NEW YORK 4, N.Y.

March 27, 1950.

Brooklyn Union Gas Co.,
176 Remsen Street,
Brooklyn, New York.Mr. W. E. Bolte, Asst. Vice Pres.

Gentlemen:

Confirming our verbal agreement, we
are pleased to quote you as follows:On movement of TAR from your Greenpoint Plant
to your Citizen Plant
On a minimum of 250,000 gallons . . \$.0035 gallonFor
Year - 1950This rate may also be used on any
movements made in the reverse order.

Yours very truly,

BOUCHARD TRANSPORTATION CO., INC.

Morton S. Bouchard
President

MSB-rs